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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff/Counter-Defendant/
Cross-Defendant,
v.
JOHN C. CARPENTER, *et al.*,
Defendants,
and
COUNTY OF ELKO,
Defendant/Counter-Claimant,
THE WILDERNESS SOCIETY, *et al.*,
Defendants/Intervenors/Cross-Claimants.

3:99-cv-00547-RLH-RAM

**UNOPPOSED MOTION TO
EXTEND TIME TO RESPOND
TO MOTION TO DISMISS
FOR MOOTNESS (#351)**

1 COMES NOW the United States of America and hereby moves for an extension of time
2 to respond to Elko County's Motion to Dismiss for Mootness. (# 351). The United States'
3 response to the Motion to Dismiss is due today. The United States respectfully requests a two-
4 week extension of time — until February 14, 2011 — to respond to the motion. Additional time
5 is needed because the Civil Division of the United States Attorney's Office for the District of
6 Nevada recently experienced unexpected staffing shortages; two attorneys resigned and a
7 member of the support staff suffered an injury that has kept her out of the office for several
8 weeks. Additional time is also needed to give the United States sufficient opportunity to research
9 and evaluate the issues raised in the motion.

10 Counsel for the United States has conferred with the other parties concerning this matter.
11 Counsel for Elko County and John Carpenter have advised that they do not object to the
12 requested extension. Counsel for the Wilderness Society and The Great Old Broads For
13 Wilderness (collectively "TWS") has advised that TWS does not oppose the extension with the
14 understanding that it applies to TWS as well as to the United States. The United States certifies
15 that this motion is not submitted for the purpose of delay or for any other improper purpose. This
16 motion is supported by the attached declaration of Holly A. Vance.

17 DATED this 31st day of January, 2011.

18 DANIEL G. BOGDEN
19 United States Attorney

20 /s/
21 HOLLY A. VANCE
22 Assistant United States Attorneys

23 **IT IS ORDERED THAT THE UNITED STATES AND TWS SHALL HAVE UNTIL
FEBRUARY 14, 2011 TO RESPOND TO ELKO COUNTY'S MOTION TO DISMISS.**

24 
25 **UNITED STATES MAGISTRATE JUDGE**
26 Dated: February 1, 2011

PROOF OF SERVICE

I, Blaine T. Welsh, AUSA, certify that the following individuals were served with the **MOTION TO EXTEND SCHEDULING ORDER DEADLINES** on this date by the below identified method of service:

Electronic Case Filing

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Attorneys for the State of Nevada

DATED this 31st day of January, 2011.

/s/
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HOLLY A. VANCE
Assistant United States Attorneys

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14
15 UNITED STATES DISTRICT COURT
16 DISTRICT OF NEVADA

17 UNITED STATES OF AMERICA,)
18 Plaintiff/Counter-Defendant/)
Cross-Defendant,)
19)
v.) 3:99-cv-00547-RLH-RAM
20 JOHN C. CARPENTER, *et al.*,)
21 Defendants,)
22 and)
23 COUNTY OF ELKO,)
24 Defendant/Counter-Claimant,)
25 THE WILDERNESS SOCIETY, *et al.*,)
26 Defendants/Intervenors/Cross-Claimants.)
27
28

**DECLARATION OF HOLLY A.
VANCE IN SUPPORT OF
UNOPPOSED MOTION TO
EXTEND TIME TO RESPOND
TO MOTION TO DISMISS FOR
MOOTNESS (#351)**

1 I, Holly A. Vance, hereby declare as follows pursuant to 28 U.S.C. § 1746:

2 1. I am an Assistant United States Attorney with the Department of Justice, United
3 States Attorney's Office in Reno, Nevada. I represent the United States in *United States v.*
4 *Carpenter et al.*, 99-cv-547-RLH-RAM. With this declaration, I have filed An Unopposed Motion
5 to Extend Time to Respond to Motion to Dismiss for Mootness in which I request an additional 14
6 days to respond to the Motion to Dismiss.

7 2. Additional time is needed because the Civil Division of the United States
8 Attorney's Office for the District of Nevada recently experienced unexpected staffing shortages.
9 Two attorneys resigned and a member of the support staff suffered an injury that has kept her out
10 of the office for several weeks. Additional time is also needed to give the United States sufficient
11 opportunity to research and evaluate the issues raised in the motion.

12 3. Counsel for the United States has conferred with the other parties concerning this
13 matter. Counsel for Elko County and John Carpenter have advised that they do not object to the
14 requested extension. Counsel for the Wilderness Society and The Great Old Broads For
15 Wilderness (collectively "TWS") has advised that TWS does not oppose the extension with the
16 understanding that it applies to TWS as well as to the United States.

17 4. The United States certifies that this motion is not submitted for the purpose of delay
18 or for any other improper purpose.

19 I declare under penalty of perjury that the foregoing is true and correct.

20 Executed this 31st day of January, 2011 in Reno, Nevada.

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22
23 /s/ Holly A. Vance
24 HOLLY A. VANCE
25 Assistant United States Attorney
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